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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dayton, Ohio

Docket No. 9044.00

Application of

Michael Waller et al.

Serial No. 09/804,171

Group Art Unit: 2686

Filed: March 12, 2001

Examiner: Nghi H. Ly

For: **ACCESS TO INFORMATION NETWORKS BY MOBILE DEVICES**

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

This Appeal Brief is in furtherance of the Notice of Appeal filed in this case on February 9, 2006. Authorization is given to charge deposit account number 14-0225 for the fee under 37 C.F.R. 1.17 for filing the Appeal Brief.

(1) REAL PARTY IN INTEREST

The present application is assigned to NCR Corporation of Maryland.

(2) RELATED APPEALS AND INTERFERENCES

None.

(3) STATUS OF CLAIMS

The above-identified patent application was filed on March 12, 2001 with claims 1-42. In response to an Office Action mailed on March 22, 2004, claim 14 was canceled, and claims 1, 5, 15, 26, and 27 were amended. In response to a final Office Action mailed on

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defines over the cited art (Chern and Yurkovic) and over a combination of Tsuda with the cited art and, therefore, should be allowable.

Conclusion

In view of the forgoing reasons, it is clear that the rejection of claims 1-13 and 15-42 under 35 U.S.C. Section 103(a) is improper and, therefore, should be withdrawn. It is respectfully requested that the Board reverse the rejection of claims 1-13 and 15-42.

Respectfully submitted,



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